

## **REMARKS**

Claims 1 and 22-42 are pending in the present application. By this Amendment, previously presented claims 1 and 22 have been amended; previously presented claims 2-21 have been canceled; and new claims 23-42 have been added. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendments and the following remarks.

### I. Formal Matters:

Previously presented claims 1-22 were subject to the following restriction requirement and election of species requirement.

#### Restriction Requirement:

The Office Action proposes to separate previously presented claims 1-22 into two separate groups:

Group I, Claims 1-21, directed to a method of enhancing the stability of a particulate suspension; and

Group II, Claim 22, directed to a particulate suspension.

Applicants respectfully submit that the search and examination associated with the above two groups of claims above is not unduly burdensome on Examiner Kaucher. As stated in the MPEP, §803, "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." For at least this reason, Applicants respectfully submit that the restriction should be withdrawn.

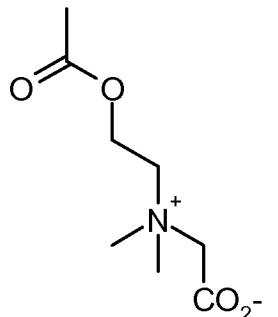
If Examiner Kaucher maintains the present restriction requirement, Applicants elect, **with traverse**, the claims of Group II, Claim 22, directed to a particulate suspension.

#### Election of Species Requirement:

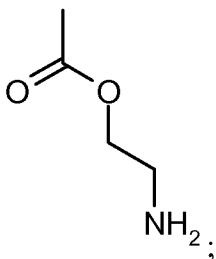
The Office Action further required an election of species if Group I was selected. Given that new claims 23-42 are similar to previously presented claims 2-21, Applicants provide

the following information.

If an election of species is required in response to new claims 23-42, Applicants elect the following species wherein:



(1)  $-X$  comprises



(2)  $-L$  comprises

(3)  $-Y$  comprises ; and

(4) the one or more substances comprises a tolylene diisocyanate.

Applicants respectfully submit that claims 1 and 22-42 read on the above elected species with claims 1 and 22-41 being generic.

For at least the reasons provided above, Applicants respectfully request examination of all of claims 1 and 22-42, and withdrawal of the restriction requirement and any election of species.

## II. New Claims 23-42:

New claims 23-42 are directed to various embodiments of Applicants present invention. New claims 23-39 depend from previously presented independent claim 22, and recite additional claim features.

New independent claim 40 is directed to a particulate suspension comprising (a) a liquid phase; (b) a reaction product of (i) a polymeric stabiliser having a hydrophilic moiety and a hydrophobic moiety and comprising a plurality of vinylic monomers, not being exclusively of vinylic esters or of their hydrolysed products, at least some of which contain functional groups capable of undergoing cross-linking nucleophilic or condensation reactions, and (ii) one or more substances contained in the liquid phase capable of undergoing a cross-linking reaction with said functional groups; and (c) an agrochemical solid that is substantially insoluble in said liquid phase and suspended within said liquid phase via said reaction product; wherein the ratio by weight of (a) the polymeric stabiliser prior to cross-linking to (b) the suspended agrochemical solid is less than 1 part of polymeric stabiliser per 5 parts of suspended agrochemical solid by weight. New claims 41-42 depend from new independent claim 40, and recite additional claim features.

Support for new claims 23-42 may be found in at least the following locations of Applicants' original specification: page 3, line 29 (claim 23); original claim 3 (claim 24); original claim 4 (claim 25); original claim 5 (claim 26); original claim 6 (claim 27); original claim 8 (claim 28); original claim 9 (claim 29); original claim 10 (claim 30); original claim 11 (claim 31); original claim 12 (claim 32); original claim 13 (claim 33); original claim 14 (claim 34); original claim 15 (claim 35); original claim 16 (claim 36); original claim 17 (claim 37); original claim 18 (claim 38); original claim 21 (claim 39); page 3, line 29 and original claim 22 (claim 40); original claim 4 (claim 41); and original claims 9-11 and 18 (claim 42).

### **III. Conclusion:**

Applicants submit that claims 1 and 22-42 define patentable subject matter. Accordingly, Applicants respectfully request allowance of these claims.

Should Examiner Kaucher believe that further action is necessary to place the application in better condition for allowance, Examiner Kaucher is respectfully requested to contact Applicants' representative at the telephone number listed below.

Amendment And Response

Serial No. 10/537,467

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No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 503025.

Respectfully submitted,  
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